

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	Case No. 05-352M
v.)	
)	
MARIO JAVIER MORENO-FLORES,)	DETENTION ORDER
)	
Defendant.)	
_____)	

Offense charged: Illegal reentry after deportation in violation of 8 U.S.C. § 1326(a).

Date of Detention Hearing: July 15, 2005

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) The Pretrial Services Report of July 15, 2005, reveals that there is an immigration detainer lodged against the defendant.

(2) Defendant is a citizen of Honduras and viewed as a risk of nonappearance.

(3) Defendant's ties to this community and to the Western District of Washington are unknown.

(4) Defendant is viewed as a risk of danger due to the nature of the pending charges and his criminal history.

(4) There appear to be no conditions or combination of conditions that will reasonably assure the defendant's appearance at future Court hearings.

(5) Defendant has stipulated to detention and has reserved the right to contest his continued detention if there is a change in circumstances.

IT IS THEREFORE ORDERED:

(1) Defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

(2) Defendant shall be afforded reasonable opportunity for private consultation with counsel;

(3) On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and

(4) The Clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 15th day of July, 2005.



JAMES P. DONOHUE
United States Magistrate Judge